

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS A. HADFIELD,

Plaintiff,

Case No. 2:22-cv-11939

HONORABLE STEPHEN J. MURPHY, III

v.

U.S. DEPARTMENT OF COMMERCE
and NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION,

Defendants.

_____ /

**ORDER DENYING APPLICATION
TO PROCEED IN FORMA PAUPERIS [2] AND DISMISSING CASE**

Plaintiff Thomas A. Hadfield applied to proceed in forma pauperis rather than pay the filing fee. ECF 2. Plaintiff represented that he has a biweekly \$1,550 salary. *Id.* at 6. He also represented that he owns a boat and a truck. *Id.* at 7. His monthly expenses appear normal. *Id.*

Title 28 of the United States Code, Section 1915(e)(2)(A), requires that “the [C]ourt shall dismiss the case at any time if the [C]ourt determines that . . . the allegation of poverty is untrue.” Under § 1915, the Court must “dismiss the claim if it finds that [Plaintiff] is not sufficiently poor to qualify for in forma pauperis status given the facts that are true.” *Jones v. Mich. Dep’t of Hum. Servs.*, No. 12-14466, 2013 WL 640771, at *1 (E.D. Mich. Feb. 21, 2013) (quotation omitted).

Here, Plaintiff’s allegation of poverty is untrue. Plaintiff receives thousands of dollars a month in salary, and he owns leisurely assets, such as a boat. ECF 2, PgID

6–7. In short, Plaintiff’s monthly income could cover the filing fee and other associated costs. Thus, the Court will deny Plaintiff’s application to proceed in forma pauperis and dismiss the case without prejudice under § 1915(e)(2)(A).

WHEREFORE, it is hereby **ORDERED** that the application to proceed in forma pauperis [2] is **DENIED**.

IT IS FURTHER ORDERED that the case is **DISMISSED WITHOUT PREJUDICE**.

This is a final order that closes the case.

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: August 22, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 22, 2022, by electronic and/or ordinary mail.

s/ David P. Parker
Case Manager